

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JAMES F.,

Case No. 3:18-cv-00282-MK  
**ORDER**

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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AIKEN, District Judge:


Magistrate Judge Mustafa Kasubhai filed his Findings and Recommendation (“F&R”) (doc. 18) recommending that the Commissioner’s decision be reversed and remanded for calculation and award of benefits. No objections have been filed and this matter is now before me. *See* 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Although in the absence of objections no review is required, the Magistrates Act “does not preclude further review by the district [court] *sua sponte* . . . under a *de novo* or any other standard.” *Thomas v. Arn*, 474 U.S. 140, 154 (1985). Indeed, the Advisory Committee Notes to Fed. R. Civ. P. 72(b) recommend that “[w]hen no timely

objection is filed,” the Court reviews the magistrate judge’s recommendations for “clear error on the face of the record.” Based on my review of the F&R and the documents in the case, I find no error in Judge Kasubhai’s F&R. Thus, I adopt the F&R (doc. 18) in its entirety. Accordingly, the Commissioner’s decision is REVERSED and REMANDED for calculation and award of benefits.

IT IS SO ORDERED.

Dated this 20<sup>th</sup> day of May, 2019.

  
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Ann Aiken  
United States District Judge